



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

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THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7873 of 2022

1.V.Jayakaran
2.Venkataraman

...Petitioners

Vs

1.The State rep by
The Inspector of Police,
AWPS-Chengalpattu,
Chengalpattu,
(Crime No.12/2021)

2.Snegha

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.12 of 2021 on the file of the 1st respondent Police and quash the same.

For Petitioners : Mr.J.Franklin
For Respondent : A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.12 of 2021 on the file of the 1st respondent Police for the offences punishable under Sections 294(b), 323 & 506(ii) of IPC and Section 4 of Indecent representation of Woman Act 1986.

2.The case is pending investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The learned counsel appearing for the petitioners would submit that due to domestic dispute between 1st petitioner and



the 2nd respondent, the 2nd respondent has given a complaint against the petitioner. Subsequently, due to intervention of the well wishers and family members, the settlement was effected between the parties and the 1st petitioner has also married the 2nd respondent on 15.09.2021 and the marriage has been registered before the Sub Registrar, Chengalpattu Joint-I on 27.01.2022.

4. An affidavit has been filed before this Court, which have been signed by the second respondent/de facto complainant and her counsel. The petitioner and the second respondent are present in person before this Court and they were identified by the counsel and the respondent Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The relevant portion of the affidavit dated 30.03.2022 filed by the 2nd respondent/defacto complainant is extracted hereunder:-

"2. I submit that the 1st petitioner and myself are lover from 2018 onwards, both of us studied in Crescent engineering College at Vandalur, both of us belongs to different caste, when I insisted for marriage, he informed that only after the marriage of his sister, our marriage will be conducted. In this regard there was a quarrel between us, with this regard the same issue on 15.08.2021 the 1st petitioner came to my house and quarrel with my family members, hence the above FIR was registered under Section 294(b), 323 and 506(ii) of IPC and Section 4 of Indecent representation of Woman Act 1986.

3. I further state that after the incident through the elderly people of both side negotiated and settled the matter amicably, pursuant to the settlement our marriage was held on 15.09.2021 at Arul Meegu Sri Vembathamman Alayam, Thirumalaivaiyavoor, Madurantakam Taluk, Kancheepuram District and subsequently our marriage was registered on 27.01.2022 before the Sub Registrar, Chengalpattu Joint-I, after the marriage we are living together happily.

4. I state that now the 1st petitioner is being my husband and the 2nd petitioner being my father-in-law at this juncture I am not interested in proceed with the FIR in Crime No.12/2021 on the file of the 1st respondent Police."



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5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, some of the offences involved are non compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. Quashes the First Information Report in Crime No.12 of 2021.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.12 of 2021 on the file of the first respondent police, is quashed and the terms of affidavit of the 2nd respondent dated 30.03.2022 shall form part and parcel of this order.

(* Affidavit of 2nd Respondent xerox copies enclosed)

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
AWPS-Chengalpattu,
Chengalpattu.

2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.7873 of 2022

SKM(CO)
SP(16/05/2022)